S.B.Cr.Misc. Bail App. No. 5719/2007
(Manish Sharma Vs. State of Rajasthan)

Date of order : 23/11/2007

HON'BLE MR.H.R.PANWAR, J.

Mr. K.S.Chouhan for the petitioner.

Mr. Ashok Upadhyay, Public Prosecutor.

Heard learned counsel for the petitioner and the Public Prosecutor for the State. Perused the order impugned.

It is contended by learned counsel for the petitioner that similarly situated co-accused Ramesh Chandra, Smt. Mukesh Bala, Hitesh @ Rinku and Manish @ Kaku have already been granted bail by this Court vide order dated 20.11.2007 and the case of the present petitioner is not distinguishable.

While considering the bail application filed by the co-accused named above, the suicide note written by the deceased addressed to her husband Rinku has been considered and reproduced in the order dated 20.11.2007. On careful perusal of the suicide note as also the statement of the witnesses, there is no allegation of subjecting the deceased to cruelty or harassment in connection with demand of dowry against the petitioner. The petitioner is not the relative of husband of the deceased.

Looking to the facts and circumstances of the case and the fact that similarly situated co-accused have already been granted bail, having considered the oral arguments advanced by both the parties, I think it just and proper to enlarge the accused petitioner on bail.

Accordingly, this bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that petitioner Manish Sharma S/o Roshan Lal be released on bail in CR No. 416/2007, P.S. Hanumangarh Town, provided he executes a personal bond for a sum of Rs. 20,000/- with two sound and solvent sureties in the sum of Rs. 10,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR), J.

RP